

Date: March 6, 2012

To: Thomas J. Bonfield, City Manager
Through: Theodore L. Voorhees, Deputy City Manager
From: Marvin G. Williams, Director of Public Works
Subject: American Tobacco Trail Construction Award and
Contract Amendment for Professional Services

Executive Summary

On February 22, 2012, bids were opened for Contract SW-24. This contract consists of the construction of 4.2 miles of the remaining paved greenway trail for the American Tobacco Trail from NC 54 south to the Chatham County line including a new bicycle/pedestrian bridge over I-40. The only bid was submitted by Blythe Construction, Incorporated, of Charlotte, North Carolina. The Public Works Department recommends that the City Council authorize the City Manager to execute a contract with Blythe Construction, Incorporated, for Contract SW-24 in the amount of \$7,470,853.87 with a contingency of \$1,494,170.77 (20%). This results in a total cost amount of \$8,965,024.64.

This project was designed by Parsons Brinkerhoff, and this firm is providing construction administration services throughout the life of the project. The Public Works Department recommends an additional \$300,000.00 be authorized to amend the supplemental agreement with Parsons Brinkerhoff to provide additional construction administration services in response to rebidding the project and extending the construction period of the project from nine to thirteen months.

Recommendation

The Administration recommends the City Council:

1. adopt a resolution authorizing the City Manager to execute a contract and any change orders within the budgeted amount with Blythe Construction, Incorporated for the project known as the American Tobacco Trail and New Bicycle/Pedestrian Bridge over I-40 Project #E-2921 E;
2. authorize the City Manager to execute a contract for SW-24, American Tobacco Trail – Phase E, with Blythe Construction, Incorporated in the amount of \$7,470,853.87; establish a contingency fund in the amount of \$1,494,170.77 (20%); and authorize the City Manager to negotiate change orders provided that the cost of all change orders does not exceed \$8,965,024.64; and
3. authorize the City Manager to amend the supplemental agreement with Parsons Brinkerhoff by \$300,000.00 to provide additional construction management services for Contract SW-24.

Background

Initial Bids for the ATT were received on July 15, 2011. The Low bid by Blythe Construction was \$7,753,042.35 and was approximately \$2,000,000.00 more than available funding for this project. Due to this cost difference, the City in concurrence with the NCDOT rejected all

bids. The City acquired additional funding to move the project forward. The Metropolitan Planning Organization (MPO) which distributes federal transportation funding recommended to NCDOT that \$2,791,377.00 be authorized for use on the ATT. A match was required of the City and these funds were provided from the Transportation Department's Federal/State Match fund in an amount of \$697,844.00. An additional \$285,000.00 for professional services is being provided from the 2007 Sidewalk Bond funds. Additional professional services are necessary because of re-advertising and rebidding this project

This project was re-advertised on November 15, 2011 and bids were scheduled to be opened on December 15, 2011. The City received less than the required three bids at this time and was unable to open them. This project was re-advertised for a third time on January 25, 2012 at which time Blythe Construction, Incorporated submitted the only bid on February 22, 2012, that was both responsive, responsible and approximately 6% under the final Engineer's cost estimate. All subcontractors were found to be both DBE certified and prequalified by NCDOT. Construction is proposed to begin in June 2012 and completed in July 2013.

Issues/Analysis

Blythe Construction, Incorporated

\$7,740,853.87

The Public Works Department recommends awarding Contract SW-24, American Tobacco Trail-Phase E (E-2921) to Blythe Construction, Incorporated, in the amount of \$7,740,853.87.

The Public Works Department recommends increasing Parsons Brinkerhoff's supplemental agreement in the amount of \$300,000.00.

Alternatives

The Department of Public Works has not identified any alternatives since the bid received was less than the final engineer's estimate.

Financial Impact

Funds are available in the American Tobacco Trail Phase E CIP project.

Construction

1. 3110H000-73100-CHA56	\$ 697,844.00
2. 3110HG00-731000-CHA56	\$4,280,627.00
3. 3110HG00-731000-CHB56	\$2,010,382.87
4. 3110HG00-731000-CHC56	<u>\$ 482,000.00</u>
TOTAL	\$7,470,853.87

Contingency

1. 3110HG00-731900-CHB56	\$1,072,643.00
2. 3110H912-731900-CHB56	\$ 161,570.00
3. 3110H912-731900-CH056	<u>\$ 259,957.77</u>
TOTAL	\$1,494,170.77

CONSTRUCTION TOTAL **\$8,965,024.64**

Professional Services Contract with Parsons Brinkerhoff

1. 3110H912-731002-CH056	\$300,000.00
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GRAND TOTAL **\$9,265,024.64**

DBE Summary

This project was bid under the North Carolina Department of Transportation (NCDOT) Contractual Services Unit's rules and regulations and was not reviewed by the Department of Equal Opportunity/Equity Assurance. The Disadvantaged Business Enterprise goal for this project is 9%. Blythe Construction, Incorporated, exceeded this goal and their subcontractors were both DBE certified and prequalified by NCDOT.